

**IN THE HIGH COURT OF UTTARAKHAND AT  
NAINITAL**

Writ Petition No. 6292(S/S)2001  
(Old no. 9917/1994)

Rajesh Kumar S/o Surma Singh,  
R/o Kasipura, Najibabad Road, Kotdwar,  
District Pauri Garhwal. -----Petitioner.

Vs.

1. State of U.P., through its Secretary,  
Department of Food & Civil Supply, Lucknow,
2. commissioner, Food & Civil Supply, Lucknow,
3. District Magistrate, Pauri Garhwal,
4. District Supply Officer, Pauri Garhwal. ---Respondents.

None for the petitioner.  
Sri N.P. Sah, learned Standing Counsel for the State/ respondent nos. 1 & 2.

**Hon'ble M.M. Ghildiyal, J.**

No one is present for the petitioner. Sri N.P. Sah,  
learned Standing Counsel for the State is present.

By means of this writ petition, the petitioner has  
prayed for the following reliefs:-

- i. To issue a writ, order or direction in the nature of  
mandamus directing respondents to promote  
petitioner as Supply Inspector in the office of  
Food and Civil Supply since May 1992 in  
compliance of G.O. dt. 11.05.92;
- ii. To issue as writ, order or direction in the nature of  
mandamus directing respondent to pay salary  
and other allowances and arrears payable to  
Supply Inspector;
- iii. To issue any other or further order as this  
Hon'ble Court may deem fit and proper in the  
circumstances of the case;

iv. To award the cost of petition to petitioner.

A counter affidavit has been filed by the respondents wherein it is stated that the promotion on the post of Supply Inspector, have been made in accordance with the seniority, subject to rejection of unfit. The petitioner was suspended by the District Magistrate vide order dated 22.06.1985 and vide order dated 10.07.1986 he was reinstated with certain punishment, such as, no salary for the period of suspension, a recovery of Rs. 7,563.55/- was levied against the petitioner. Apart from that an adverse entry in the corrector roll was awarded and he was put back to his starting salary.

Having heard learned counsel for the State and having gone through the counter affidavit filed by the respondents, I do not find any merit in the petition.

Accordingly, the petition is dismissed in limine. No order as to costs.

**(M.M. Ghildiyal, J.)**

November 5, 2007:

NCM: